

Attorney Docket No. 22171.298 (RR-2377)
Customer No. 27683

Remarks

Claims 14, 18, 19, 22, 24, and 26 are pending. Independent claims 14, 18, and 22 have been amended to incorporate the subject matter of dependent claims 17, 21, and 25, respectively. As the Examiner has already considered the subject matter of claims 17, 21, and 25, these amendments do not require further consideration or search and, therefore, should be entered. Claims 17, 21, and 25 have been cancelled.

Rejections under 35 U.S.C. § 102

Independent claims 14, 18, and 22 stand rejected under § 102(e) as being anticipated by U.S. Patent No. 6,240,284 to Bugnon et al. ("Bugnon"). As claims 14, 18, and 22 have been amended to incorporate the subject matter of claims 17, 21, and 25, respectively, the following remarks are directed to the Examiner's rejection of claims 17, 21, and 25.

The PTO provides in MPEP § 2131 that "[t]o anticipate a claim, the reference must teach every element of the claim." Therefore, with respect to amended claims 14, 18, and 22, to support a rejection under 35 U.S.C. § 102(e), the Bugnon reference must contain all of the elements of the claim.

Amended claim 14 recites, in part, a mobile switching center ("MSC") of an RF communications network reestablishing a call between a mobile unit and a called party, wherein the reestablishing comprises the MSC dialing back the mobile unit. To reject the element of the MSC dialing back the mobile unit, the Examiner cites claims 5 and 7, as well as column 1, line 66 to column 2, line 36, of Bugnon. However, claim 5 of Bugnon discloses "instructing the serving MSC to automatically connect the emergency MS to the PSAP when the emergency MS accesses the network; and automatically connecting the emergency MS to the PSAP when the emergency MS originates a subsequent call in the serving MSC." (emphasis added). Similarly, claim 7 of Bugnon discloses "instructing the serving MSC to automatically connect the emergency MS to the PSAP when the emergency MS accesses the network; and automatically connecting the emergency MS to the PSAP when the emergency MS registers with the serving MSC." (emphasis added). In both claims 5 and 7, the MS is clearly reestablishing the connection, not the MSC.

The cited text of Bugnon (col. 1, line 66 – col. 2, line 36) discloses:

The network may include a plurality of MSCs, and the emergency MS may register in a second MSC other than the serving MSC after the hotlining feature has been activated. The method then includes the steps of notifying the HLR that the emergency MS has registered in the second

60057-1

5

Attorney Docket No. 22171:288 (RR-2377)
Customer No. 27683

MSC, determining in the HLR that the emergency MS has an unfinished emergency call, and instructing the second MSC to connect the emergency MS to the PSAP.

If the emergency MS registers within the service area of a second MSC other than the serving MSC before the hotlining feature has been activated, the method includes the steps of sending a registration notification (REGNOT) message from the second MSC to the HLR, sending a registration cancellation (REGCANC) message from the HLR to the previous serving MSC identifying the emergency MS, and sending a return REGCANC message from the previous serving MSC to the HLR identifying that the emergency MS has an unfinished emergency call and providing a PSAP number to the HLR. This is followed by sending a qualification directive (QUALDIR) message from the HLR to the second MSC with the PSAP number and instructions to connect the emergency MS to the PSAP. Thereafter, when a registration or a call origination is received from the emergency MS in the second MSC, the call is automatically connected to the appropriate PSAP.

In another aspect, the present invention is a system in a radio telecommunications network for reconnecting an emergency call between an emergency MS and a PSAP when the call has been disconnected before the call was finished. The system comprises means within the HLR for activating a hotlining feature for the emergency MS when the emergency call is begun, means within the serving MSC for determining that the emergency call was disconnected before the call was finished, means within the serving MSC for determining that the emergency MS attempts to access the network after the emergency call was disconnected, and means within the serving MSC for automatically connecting the emergency MS to the PSAP. (emphasis added).

As illustrated by the underlined portion of each paragraph, it is the MS in Bugnon, not the MSC, that reestablishes a call. Accordingly, Bugnon fails teach every element of the claim as required by MPEP § 2131, and claim 14 is allowable over the cited reference. Claim 16

60057-1

6

Attorney Docket No. 22171.288 (RR-2377)
Customer No. 27683

depends from and further limits claim 14 and is allowable for at least the same reason as claim 14.

Claims 16 and 22 each include a similar element to that described above with respect to claim 14, and are allowable for at least the same reason as claim 14. Claims 18, 24, and 26 depend from and further limit their respective independent claims and are allowable for at least the same reason as the claims from which they depend.

Conclusion

Therefore, it is respectfully submitted that all pending claims are in condition for allowance. Should the Examiner deem that any further amendment is desirable to place this application in condition for allowance, the Examiner is invited to telephone the undersigned at the below listed telephone number.

Respectfully submitted,

Timothy F. Bliss
Timothy F. Bliss
Registration No. 60,825

Dated: November 24, 2003
HAYNES AND BOONE, LLP
601 Main Street, Suite 3100
Dallas, Texas 75202-3788
Telephone: 972/739-8638
Facsimile: 972/662-9101
File: 22171.288 (RR-2377)

This paper is being deposited with the U.S. Postal Service as first class mail addressed to Mail Stop AF, Commissioner For Patents, P.O. Box 1460, Alexandria, VA 22313 on November 24, 2003.

Dayle Conner
Dayle Conner

60057-1

7